

REMARKS

Claims 1-25 are pending in this application. Claim 1 has been amended to more distinctly point out the subject matter applicant regards as the invention. Claims 2-3, 5, and 11-12 have been amended to address minor informalities and better conform to U.S. practice. The amendment to claim 3 also addresses a typographical error in the previous Reply in which "pH3" was inadvertently recited in place of pH13, which was recited in the preliminary amendment, originally filed claims and originally filed specification at page 5, lines 21-22. Claims 21-25 are new. These amendments introduce no new matter into the application.

Claim Rejections: 35 U.S.C. §102 and 103

The Action rejected claims 1-20 under 35 U.S.C. §102(a) as anticipated by, or in the alternative, under 35 U.S.C. §103(b) as obvious over U.S. Patent No. 6,255,551 to Shapiro et al. ("Shapiro").

Shapiro fails to teach an electrokinetic method for groundwater protection, soil remediation or soil engineering "wherein no conditioning solutions are added to the soil during performance of the method," as claim 1 has been amended to require. Shapiro specifically teaches a method in which sulfide salts are added to the contaminated media. As stated in col. 5, lines 30-35, "In step S2, sulfide salts are introduced into contaminated media. The sulfide salts are introduced to treat

contaminants, for example by reductively reacting with contaminants, in the contaminated media.” Shapiro’s sulfide salts also perform the function of reacting with iron in the contaminated media to precipitate ferrous sulfides. See col. 5, lines 46-49, col. 6, line 55-col. 7, line 3, col. 7, lines 13-19. Applicant’s method is advantageous over Shapiro’s because without the use of conditioning solutions, it requires fewer steps, less expense, and “does not involve the use of potentially toxic conditioning solutions” that could further contaminate the media. See Substitute Specification at paragraph [0027].

Claims 2-20 depend from claim 1 and should be similarly patentable. Accordingly, withdrawal of the claim rejections under 35 U.S.C. §102 and §103 is respectfully requested.

New Claims

New claim 21 should be patentable because the referenced prior art fails to teach “precipitating at least one of zero valent iron or an iron oxide to form a stable iron band.” As discussed above, Shapiro teaches the addition of sulfide salts into the contaminated media. The sulfide salts react with iron already present in the contaminated media to precipitate ferrous sulfides. See col. 5, lines 46-49, col. 6, line 55-col. 7, line 3, col. 7, lines 13-19. Shapiro never mentions the possibility of precipitating zero valent iron or an iron oxide. Applicant’s claimed method, in

which a stable iron band is formed by precipitating zero valent iron or iron oxides, can be performed without the addition of sulfide salts or any other conditioning agents, which, as discussed above, has the advantages of reducing cost, simplifying the process, and avoiding addition of anything that could further contaminate the media being treated.

Accordingly, Applicant respectfully submits that new claims 21-25 are patentable over the prior art.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Andrew Brian Cundy, et al.

By /Alissa L. Saenz/
Alissa L. Saenz
Registration No. 61,750

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

ALS/DJB/dmp
Enclosures